

FILED  
U.S. DISTRICT COURT  
DISTRICT OF WYOMING

2013 SEP 30 AM 9 45

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

STEPHAN HARRIS, CLERK  
CHEYENNE

POWELL VALLEY HEALTH CARE  
INC.,

Plaintiff,

vs.

Case No. 12-CV-42-F

HEALTHTECH MANAGEMENT  
SERVICES, INC.,

Defendant/Cross-Claimant,

vs.

PAUL CARDWELL and MICHAEL  
J. PLAKE,

Defendants/Cross-Defendants.

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CONSENT JUDGMENT

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IT IS STIPULATED AND AGREED by and between Defendant/Cross-Claimant HealthTech Management Services, Inc. ("HealthTech") and Defendant/Cross-Defendant Michael Plake (the "Parties"), that Michael Plake consents to entry of judgment in the above-captioned case against himself and in favor of HealthTech in the amount of TWO MILLION DOLLARS (\$2,000,000); and

IT IS STIPULATED AND AGREED by and between the Parties, that pursuant to the Court's summary judgment order of May 23, 2012, which is incorporated in full herein by reference, HealthTech is entitled to recover consequential damages and punitive damages from Plake in an amount to be determined, based on the Court's finding that Defendants/Cross-Defendants committed fraudulent misrepresentations and other fraudulent conduct, as set forth in the Court's summary judgment order; and

IT IS STIPULATED AND AGREED by and between the Parties, that \$2,000,000 represents an appropriate amount of judgment against Plake for consequential and punitive damages based on the fraudulent conduct the Court found Plake to have committed; and

IT IS STIPULATED AND AGREED by and between the Parties, that Plake has been notified of HealthTech's intention to take his deposition in the future pursuant to Rule 69 of the Federal Rules of Civil Procedure;

IT IS STIPULATED, ORDERED AND ADJUDGED that the Clerk of Court shall enter judgment in favor of HealthTech against Plake in the amount of \$2,000,000, inclusive of attorney's fees and costs; and

IT IS ORDERED this consent judgment is without prejudice to HealthTech's right to depose Cardwell pursuant to Rule 69 of the Federal Rules of Civil Procedure.

Dated this 30 day of September, 2013.



NANCY D. FREUDENTHAL  
CHIEF UNITED STATES DISTRICT JUDGE